

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CENTRO PRESENTE, a membership organization,)
et al.,)
Plaintiffs,)
v.) No. 1:18-cv-10340 (DJC)
JOSEPH R. BIDEN, JR., President of the United)
States, in his official capacity, et al.,)
Defendants.)

JOINT STATUS REPORT

As directed by this Court’s June 9, 2021 Order (ECF No. 154), following submission of the parties’ last Joint Status Report on April 8, 2021 (ECF No. 153), Plaintiffs and Defendants respectfully submit this Joint Status Report. The parties jointly request for this Court to extend the stay in this case to December 14, 2021, for the new administration to continue to assess how it wishes to proceed in this litigation, including in light of the ongoing mediation at the Ninth Circuit concerning the Temporary Protected Status (“TPS”) determinations at issue in this case—Haiti, El Salvador, and Honduras.

Since the last status report, the Department of Homeland Security published a Federal Register Notice formally announcing the Secretary’s new designation for Haiti. 86 Fed. Reg. 41,863 (Aug. 3, 2021); *see also* 8 U.S.C. § 1254a (stating that a TPS designation “shall not become effective unless notice of the designation (including a statement of the findings under this paragraph and the effective date of the designation) is published in the Federal Register”). The Secretary of Homeland Security, Alejandro N. Mayorkas, had previously announced a new 18-month designation of Haiti for TPS. *See* <https://www.dhs.gov/news/2021/05/22/secretary->

mayorkas-designates-haiti-temporary-protected-status-18-months. “This new TPS designation enables Haitian nationals (and individuals without nationality who last resided in Haiti) currently residing in the United States as of May 21, 2021 to file initial applications for TPS, so long as they meet eligibility requirements.” *Id.* Also, since the last joint status report, the Secretary of Homeland Security published a new Federal Register Notice extending TPS documentation for, *inter alia*, El Salvador and Honduras through December 31, 2022. *See Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal*, 86 Fed. Reg. 50,725 (Sept. 10, 2021).

In the meantime, the terminations of TPS for El Salvador and Honduras remain either enjoined or stayed per court order. *See Ramos v. Nielsen*, No. 18-16981 (9th Cir.) (June 25, 2021, order staying consideration of rehearing en banc petition for appeal, and thus stay of any mandate, pending mediation); *Bhattarai v. Nielsen*, Case No. 3:19-cv-731-EMC (N.D. Cal.), ECF No. 23, at ¶ 6 (court order staying termination of TPS for Honduras pending *Ramos* appeal). The parties in *Ramos* are currently engaged in mediation at the Ninth Circuit, with the next mediation session set for September 22, 2022. *See Ramos* (September 3, 2021, scheduling of mediation conference).

Accordingly, the parties respectfully request to continue the stay in this matter through December 14, 2021.

Respectfully submitted,

Plaintiffs.

By their attorneys,

/s/ Justin Wolosz

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Dated: September 14, 2021

Defendants

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: September 14, 2021

/s/ Adam Kirschner